CONSERVATORSHIP



Get a Permanent Appointment for an Adult

Part 1: Preparing the First Court Papers (Forms Packet)

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Self Service Center

CONSERVATORSHIP

GET A PERMANENT APPOINTMENT FOR AN ADULT

Part 1: Preparing the First Court Papers (Forms Only)

How to assemble these documents

This packet contains court forms for preparing the first court papers to get a permanent appointment for an adult. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBCA1ft	Table of forms in this packet	1
2	PBCA1k	Checklist for Preparing the First Court Papers	1
3	PB10f	"Probate Cover Sheet"	2
4	PB11f	"Probate Info Sheet"	1
5	PBCA11f	"Petition for Permanent Appointment of Conservator of an Adult"	4
6	PBGC11f	"Affidavit of Person to be Appointed Guardian and/or Conservator"	3
7	PBGCA12f	"Petitioner's Information Sheet to Court Investigator"	2
8	PBGCA13f	"Instructions and Request for hearing date Guardianship/Conservatorship of Incapacitated/Protected Person"	1
9	PBCA14f	"Order Appointing Attorney, Physician, and/or Court Investigator for Conservator of an Adult"	2

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Self-Service Center

APPOINTMENT OF A CONSERVATOR FOR AN ADULT CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You want to have the court appoint a conservator for an adult and you
 know that the adult does not need the court to appoint a guardian, AND
- ✓ The adult lives in Maricopa County, AND.
- ✓ A doctor has said or will say that the adult needs a conservator.

Information about when a Conservator is needed: An adult generally needs a conservator:

1. Because the adult has property which will be wasted or used up unless proper management is provided, and the adult needs funds for his or her support, care and welfare, or the funds are needed for the support, care and welfare of those individuals entitled to be supported by the adult.

Information about when a Guardian is needed: An adult generally needs a guardian:

1. If the adult needs the care and supervision of another adult, which is not presently available.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

SUPERIOR COURT OF ARIZONA COUNTY OF MARICOPA

PROBATE COVER SHEET

Case Number	
Pursuant to Rule 3.1 (a) of the Superior Court Local Rulinformation. (Type or Print)	es, Maricopa County, please provide the following
DECEDENT'S OR WARD'S NAME	DECEDENT'S OR WARD'S ADDRESS
PETITIONER'S NAME	PETITIONER'S ADDRESS
PETITIONER'S ATTORNEY	REASON FEES NOT PAID: Government Charge Deferred
Name and State Bar Number	Check Superior Court Location Requested: ☐ Downtown Phoenix ☐ Southeast Regional (Mesa) ☐ Northwest Regional (Surprise)
NATURE	OF ACTION
Place an "X" next to the number which describes the na	ture of the case. Please check only ONE nature of action.
200 ESTATE 201 Formal Appointment of Personal Representative 202 Informal Appointment of Personal Representative 203 Ancillary Administration 204 Affidavit of Succession to Realty 205 Trust Administration 206 Formal Probate of Will 207 Informal Probate of Will	220 CONSERVATOR 221 Minor 222 Adult Incapacitated Person 230 GUARDIANSHIP 231 Minor 232 Adult protected Person 233 Adult Incapacitated Person (Mental Health Powers)
208 Proof of Authority 210 Other Specify 211 Single Transaction/Limited Conservatorship 212 Foreign Domicilliary	240 GUARDIANSHIP-CONSERVATOR COMBINATION 241 Minor 242 Adult Incapacitated Protected Person 243 Adult Protected Person (Mental Health Powers)

PROBATE COVER SHEET - Continued

NAME(S) OF MINOR CHILD(REN):	BIRTH DATE(S) OF MINOR CHILD(REN):
To the best of my knowledge, all information is tru	ne and correct.
(If you need additional space, use the next page.) NAME(S) OF ANY MINOR CHILD(REN):	Petitioner or Attorney Signature BIRTH DATE(S) OF MINOR CHILD(REN):

NOTICE

Effective July 1, 1987 and pursuant to Superior Court (Maricopa County) Local Rule 3.1 (a), the Superior Court requests that a "Cover Sheet", which categorizes the cause of action, accompany any new action filed with the Superior Court in Maricopa County. For this reason, this form has been developed. The Cover Sheet will result in increased accuracy of court records and statistics, and in reduced processing time for new case filings.

Copies of this Cover Sheet will be made available at the Probate Registrar's Office for the Clerk of the Superior Court.

PLEASE DO NOT INCLUDE THIS FORM WITH CASES THAT HAVE ALREADY BEEN FILED. This form can only be processed at the time of filing New Complaints and Petitions.

Thank you for assisting us with our efforts to improve service.

Attorney Bar Number (if applicable): Representing ☐ Self or ☐ Attorney for_						
	MARICOPA COUNTY					
In the Matter of the Guardianship of:	Case Number	PB:				
A Minor/An Adult	Probate	Information Sheet				
	E COMPLETED BY THE PETITIONER(S					
<u>TO TH</u>	IE CLERK AT THE TIME OF THE HEAR	<u>ING.</u>				
DESCRIPTION OF	PETITIONER	CO-PETITIONER				
Name						
Address						
City, State, Zip						
Telephone Number	()	()				
Date of Birth						
Social Security Number						
Passport Number						
Ethnicity						
Height						
Weight						
Color of Fyeo						
Color of Eyes Relationship to allegedly						
incapacitated person/person to						
be protected						
	Private Fiduciary Certification or Licensing Number:					
Date of birth of Minor(s) (if applicable):						
Is the person you are seeking to a	ssist a foreign national?	Yes No				

If yes, please specify country _____

Nam	e of Person Filing Document:		
Addr	ress:State, Zip Code:		
Tele			
Atto	rney Bar Number (if applicable):_		
Repr	esenting 🗌 Self or 📋 Attorney for	or	
	SUPE	RIOR COURT OI MARICOPA COL	· · · · · · · · · · · · · · · · · · ·
In the	e Matter of the Conservatorship of:	Case Nu	mber PB:
		APPOII	ON FOR PERMANENT NTMENT OF ERVATOR OF AN ADULT
(Prot	ected Person)		
RE	QUIRED INFORMATIO	N FROM PETITION	ONER. UNDER OATH:
1.			•
	Name:	Socia	al Security Number:
	Address:	Doto	of Dirth:
	My relationship to the person I s	ay needs a conservator is	of Birth:
2.	INFORMATION ABOUT T called the proposed protected po	HE PERSON I SAY Nerson (for a conservatorsh	EEDS A CONSERVATOR. This person is
	Address:		
	Telephone:	Date	of Birth:
	Social Security Number:		
3.	PERSONS WHO ARE EN conservators, and to whom I will		of the court matter under Arizona law 14-5405 for See instructions)
	Name	Address	Relationship to Person Who I Say Needs a Conservator
	A		
	B		
	C		
	D		

4.	ASS	ETS OF PERSON WHOM I SAY NEED The person who needs a conservator has no	S CONSERVATOR: (check one box) substantial assets or income. No bond by Petitioner is
		required; The person who needs a conservator has as of \$ Explain:	sets and/or annual income in the approximate amount
5.	PER		ATOR (complete this only if the person is a different
		on than Petitioner):	
	Name	e:	
	Addre	ess:	Social Security Number: Driver's License Number:
	l elep	of Birth:	Social Security Number:
	My re	elationship to the person I say needs a conserva	Driver's License Number:tor:
6.			CORSHIP. To the best of my knowledge, (check one
Ο.	box):	DRIVATION REGARDING CONSERVAT	CROTHE. To the best of my knowledge, (check one
			opointed in any other court, and no court proceedings
		are pending for such appointment; OR	
			d/or Conservator, or court proceedings are pending. appointee is guardian or conservator:
		·	
		-	
7.	prope boxes H	erty which will be wasted or used up unless prop s that apply): e or she needs funds for his or her support, car	e person needs a Conservator because he or she has per management is provided, and (check one or both e and welfare; are of those entitled to be supported by the person.
8.	REA apply		S or HER PROPERTY: (check all that you believe
		lental illness, mental deficiency, or mental disord	der Physical illness or disability
	□ C	hronic use of drugs	☐ Chronic intoxication
		onfinement isappearance.	☐ Detention by a foreign power;
9.	has a		nnot ask the court for conservatorship unless the adult ne instructions on how to do this.) (Check one box only
		The person I say is a protected person already about this conservatorship:	has an attorney who will represent the person in court

		NAME OF A ADDRESS:_ TELEPHON	TTORNEY:		
		OR,			
			d person has no attorney to represent him or her in court, and I will contact the Office ointed Counsel after I file this paperwork so that a lawyer can be appointed by the court.		
10.	numbe	er of a physicia	DR APPOINTMENT OF A PHYSICIAN: I have the name, address, and telephone n who will examine the person I say needs protection and whose written report I will Yes or \square No.		
			EMENTS TO THE COURT, UNDER OATH: (Note: you must d all these statements must be true, or you cannot file this Petition.)		
14.		TRUE	Venue (the court in which you are filing this Petition) is proper in this county because the person who is said to need a conservatorship lives in or is present in this county, or the person to be protected has assets in this county.		
15.		TRUE	The person who is requesting to be the conservator has completed the required document called Affidavit of Person to be Appointed as Conservator of an Adult and is filing that Affidavit with this Petition as required by Arizona law, A.R.S. § 14-5106.		
16.		TRUE	I or the person I request to be appointed in Paragraph 5 is a suitable and proper person to act as conservator and is entitled to consideration for appointment under Arizona Law, A.R.S. § 14-5106, 5311, and/or 5410.		
		T TO THE the following:	COURT FOR AN ORDER, UNDER OATH: Petitioner asks		
1.	Sched	ule a hearing t	o determine if a Conservatorship is appropriate;		
2.	Appoir	Appoint a lawyer to represent the person, and appoint a physician and court investigator, if necessary.			
3.		After Petitioner gives notice of the hearing to all interested persons and to those required by law, hold a hearing to determine if the Court should order a Conservatorship;			
4.	Make a	a finding that tl	ne person needs protection under law including a conservator;		
5.	Appoir	nt a Conservat	or of the proposed protected person;		
6.	Make a	any other orde	rs the Court decides are in the best interests of the proposed protected person.		

OATH AND VERIFICATION OF STATE OF ARIZONA) County of Maricopa) ss.	PETITIONER:		
I, the Petitioner, being duly sworn and under oath, state that I have read this Petition. All the statements in the Petition are true and correct and complete to the best of my knowledge and belief.			
	SIGNED:		
Subscribed and sworn to before me this	date: by		
My Commission Expires:	NOTARY PUBLIC:		

Your A Your T Attorn	Address:	
		SUPERIOR COURT OF ARIZONA MARICOPA COUNTY
	Matter of the anship and/or Conservate	Case Number: PB
Guaru	ansnip and/or Conservati	AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN AND/OR CONSERVATOR
☐ an	Adult or a Minor	
INST each s this aff	tatement as TRUE or FA	person who wants to be appointed the guardian and/or conservator must answer LSE. Each answer that is false must be explained in writing in an attachment to
require County	es the person seeking app requires the person to c	UNDER OATH TO THE COURT: Arizona law A.R.S. §14-5106 cointment to answer items 1-15. Additionally, the Superior Court in Maricopa complete the information requested in item 16. This document must be filed with Guardian and/or Conservator.
1.	☐ True or ☐ False.	I have not been convicted of a felony in any jurisdiction.
2.	☐ True or ☐ False.	I have not acted as a guardian or conservator for another person for at least three years before I filed this Petition.
3.	☐ True or ☐ False.	I know and understand the powers and duties I would have as a guardian and/or conservator.
4.	☐ True or ☐ False.	I have not had a power of attorney for anyone for at least three years before I filed this Petition.
5.	☐ True or ☐ False.	I am not, to the best of my knowledge, listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.
6.	☐ True or ☐ False.	To the best of my knowledge, no business in which I have an interest is listed in the Elder Abuse Registry at the Office of the Arizona Attorney General.
7.	☐ True or ☐ False.	Arizona law requires that a guardian/conservator file an annual report/accounting with the court. If I have been a guardian/conservator before, I either filed the required documents on time, or within 3 months of receiving a notice from the court that the report/accounting was due.
8.	☐ True or ☐ False.	I have never been removed by the court as a guardian or conservator.
9.	☐ True or ☐ False.	The nature of my relationship to the proposed ward or protected person is:

AFF

10.	☐ True or ☐ False.	I met the proposed v	vard under the following circumstances:
11.	☐ True or ☐ False.	dollars in any one ye estate of an individua	d anything of value greater than a total of one hundred ar by gift, or will, or inheritance from an individual or the al to whom I was not related by blood or marriage and for y time as guardian, conservator, trustee, or attorney-in-fact.
12.	☐ True or ☐ False.	greater than a total of inheritance from an i	I have an interest has ever received anything of value of one hundred dollars in any one year by gift, or will, or endividual or the estate of an individual to whom I am not harriage and for whom I served at any time as guardian, or attorney-in-fact.
13.	☐ True or ☐ False.	trustee, beneficiary,	owledge, I am not named as a personal representative, or other type of beneficiary for any individual to whom I am or marriage and for whom I have ever served as guardian, or attorney-in-fact.
14.	☐ True or ☐ False.	as a personal repres any individual to who	owledge, no business in which I have an interest is named entative, trustee, beneficiary, or other type of beneficiary for m I am not related by blood or marriage and for whom I have dian, conservator, trustee, or attorney-in-fact.
15.	☐ True or ☐ False.		any business that provides housing, health care, nursing e, assisted living, home health services, or comfort care dual.
16.	Additional identifying in	nformation about the pe	erson seeking this appointment:
	Gender:	r:	Height: Color of eyes: Date of birth: State issuing license: Social Security Number:
OATH	HOF THE PERSON S	SEEKING TO BE A	PPOINTED AS GUARDIAN AND CONSERVATOR:
STAT	E OF ARIZONA) COPA COUNTY) ss.		
	read, understood, and c and correct to the best of		atements and the attached document. Everything I have said nation, and belief.
			SIGNATURE:
Subsc	ribed and sworn to befor	e me this date:	by
Му Со	mmission Expires:		Notary Public

EXPLANATIONS THAT MUST BE ADDED TO THE AFFIDAVIT OF PERSON WHO WANTS TO BE APPOINTED (Required by Arizona Law: A.R.S. § 14-5106)

You must explain the following as an attachment to your Affidavit for any statement which you marked "F" (false). **FILE THE EXPLANATIONS WITH THE AFFIDAVIT, BUT DO NOT FILE THIS INSTRUCTION SHEET**. All the information in the explanations is also under oath to the court.

- 1. As to each felony for which you have been convicted, list:
 - a. The nature of the offense.
 - b. The name and address of the sentencing court.
 - c. The case number.
 - d. The date of conviction.
 - e. The terms of the sentence.
 - f. The name and telephone number of any current probation or parole officer.
 - g. The reasons why the conviction should not disqualify you from appointment.
- 2. If you have acted as guardian or conservator within three years before filing this petition, list:
 - a. The names of individuals for whom you are currently serving, and court case numbers.
 - b. The names of individuals for whom your appointment has been terminated within the three-year period, and the court case number.
- 3. If you do not have the required information, please explain how you intend to obtain this information.
- 4. State the total number of persons for whom you have done this. If you have acted under a power of attorney for the proposed ward/protected person, explain:
 - a. The date the power of attorney was signed.
 - b. The place where it was signed.
 - c. The actions you have taken pursuant to the power of attorney.
 - d. Whether the power of attorney is currently in effect.
- 5. State the reason for such listing.
- 6. List the name(s) of the business(s) and the reason for each such listing.
- 7. List the name and location of the court and the name and case number of the files in which you were delinquent in filing the required report.
- 8. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.
- 9. State the number of occasions on which you received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
- 10. State the number of occasions on which the business received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
- 11. State the number of occasions on which you have been so named.
- 12. State the number of occasions on which the business was named.
- 13. List the name and address of each business and the extent and nature of your interest.

PETITIONER'S INFORMATION SHEET TO COURT INVESTIGATOR

Instructions to Petitioner: You must complete this form and send it to Court Administration with the Request for Hearing form. This information will assist the Court Investigator in scheduling and conducting an appointment with the person for whom you have said that a guardian and/or a conservator is needed. If you do not complete this form, we might have to delay the Court hearing on your Petition.

Your	Case Number: PB			
1.	INFORMATION ABOUT THI	E PERSON YOU SA	AY NEEDS GUARD	AN OR CONSERVATOR:
	Name:		Telephone:	
	Present Address:		Permanent Address	s:
2.	OTHER INFORMATION ABOOF PROTECTION: A. Location during the of		WHO IS SAID TO I	BE INCAPACITATED OR IN NEED
	B. Language person sp	eaks, or other inform	mation about commu	unication barriers:
	C. Has the person serve	ed in the military?	☐ YES or ☐ NO	
	D. Location of the person	on's spouse, if he or	she is military?	is alive:
3.	INFORMATION ABOUT THI AND/OR CONSERVATOR (S		E WHO IS/ARE ASI	KING TO BE THE GUARDIAN (S)
	Description of:	Peti	tioner	Co-Petitioner
	Name:			
	Address:			
	City, State, Zip Code:			
	Home Telephone:			
	Work Telephone:			
Soci	ial Security No. / State ID No.:			
	Race:			
	Height:			
	Weight:			
	Color of Hair:			
	Color of Eyes:			
	Relationship to Ward:			

4.	INFORMATION ABOUT THE COURT-APPOINTED PHYSICIAN:			
	Name:	Telephone:		
	Address:			
5.	INFORMATION ABOUT PETITI	ONER'S ATTORNEY:		
	Name:	Telephone:		
	Address:			
6.	INFORMATION ABOUT CO-PE	TITIONER'S ATTORNEY:		
	Name:	Telephone:		
	Address:			
Eor (Court Use Only:			
	-			
Date	and Time of Hearing:			
Com	missioner:			

Name	of Pers	on Filing Paper:					
Your A	Address	s: ate, Zip Code:					
Your	Telepho	ne Number:					
				Cas	e No. PB		
		INSTRUCTIONS GUARDIANSHIP	•				
1.	Court Location: There are 3 locations of the Superior Court in Maricopa County: downtown Phoenix, the Southeast Court Facility (Mesa) and the Northwest Court Facility (Surprise). The Southeast Court Facility (Mesa) is for persons who live in Mesa, Tempe, Chandler, Gilbert, and Apache Junction to the southern border of the Salt River, but not Scottsdale. You may file your papers at any Superior Court location, but for those filed in Phoenix OR Mesa, your hearing will be held at the downtown Phoenix location, and those filed at the Surprise location will be held in Surprise.						
	Centra 201 W Phoei (602)	ate Administration al Court Building /est Jefferson, 1st floor nix, Arizona 85003 506-3668 : 8 a.m. – 5 p.m.	Probate Administra Southeast Court Fa 222 East Javelina I Mesa, Arizona 852 (602) 506-2117	acility Orive, 1st floo	or 14264 West Tierra Buena Lane		
2.	Court Documents: After you file your forms with the Clerk's Office at the Court, take the following documents to Probate Court Administration (address above):						
	a. b. c. d.		davit of Proposed A eted "Information S	Appointee" s Sheet to Cou			
3.					Court Administration will set a hearing ial officer who will hear this case.		
	HEAR	ING DATE AND TIME:		, at	a.m./p.m.		
		Judge Barbara Mundell Old Courthouse 125 West Washington Phoenix , AZ 85003-22			Commissioner Nancy K. Lewis Old Courthouse 125 West Washington Phoenix , AZ 85003-2205		
		Commissioner Jane Ba Old Courthouse 125 West Washington	yham-Lesselyong		Commissioner Edward W. Bassett Old Courthouse 125 West Washington		

4. Notice of Hearing: Court Administration will return this form to you after setting the date, time and place of hearing, and the name of the judicial officer that will hear your case. This is the information you will use to prepare the "Order Appointing Attorney, Physician, and Court Investigator" and the "Notice of Hearing."

Phoenix, AZ 85003-2205

Phoenix, AZ 85003-2205

		on Filing Document:				
Addres	ss: tate, Zip	Code:				
Teleph	ione Nui	mber:				
Repres	ey Bar N senting	lumber (if applicable): ☐ Self or ☐ Attorney for				
		SUPERIOR COURT OF ARIZONA MARICOPA COUNTY				
In the r	matter of	the Conservatorship of Case Number PB:				
(Name	of Protect	ORDER APPOINTING ATTORNEY PHYSICIAN AND/OR COURT INVESTIGATOR FOR CONSERVATOR FOR AN ADULT				
1.	SCHEDULED HEARING: A sworn Petition for Appointment of a Conservator was filed and this court has scheduled a hearing to determine the merits of the Petition as follows:					
	DATE AND TIME:					
	LOCATION:					
	JUDICI	AL OFFICER:				
2.	ATTORNEY APPOINTMENT: An attorney is appointed to represent the person by appearing at the hearing. Counsel shall adhere to the Court's Guidelines for Appointed Counsel:					
	NAME:	TELEPHONE:				
	ADDRE	ESS:				
3.	PHYSICIAN APPOINTMENT AND REPORT: The physician who shall examine the proposed ward and prepare a written report about the condition of the person about whom the Petition was filed is:					
	NAME:	TELEPHONE:				
	ADDRE	ESS:				
4.		COURT INVESTIGATOR: An investigator from the court shall visit the proposed ward and submit a written report to the Clerk of the Court, Probate Registrar at least ten business days before the hearing date and shall give a copy of the report to the Petitioner or his or her attorney and to the attorney for the proposed ward.				
5.	ОТНІ	ER ORDERS TO PETITIONER:				

- A. COURT PAPERS FOR THE APPOINTED LAWYER: Petitioner must within 24 HOURS from the date of this Order mail or deliver to the attorney for the incapacitated person named in paragraph 2 copies of the Petition for Permanent Appointment and all related court paperwork, any physicians' reports in his or her possession, and any Orders of the court.
- B. PHYSICIAN REPORT: Petitioner must, NO LATER THAN 10 BUSINESS DAYS BEFORE THE HEARING file the original of the physician's report with the Clerk of the Court, Probate Registrar, AND mail or hand-deliver a copy of the report to the attorney named in paragraph 2 AND to the offices of the judicial

officer named in Paragraph 1, 85003.	, AND to the Court Investigator, 125 West Washington, Phoen	the Court Investigator, 125 West Washington, Phoenix, Arizona			
DONE IN OPEN COURT:	JUDGE/COMMISSIONER				
	JUDGE/GOWINII SCIONEIX				